

3. BRIEFING THE PRODUCTION COMPANY AND BIDDING PROCESS

3.1 INTRODUCTION

For each production, either the Advertiser or the Communication Agency designates a specific individual to manage all communication with the independent Production Company. In most cases, this role falls to the agency producer within the Communication Agency. The agency producer or designated individual sends out the briefing to the Production Company, oversees the bidding process and production, and monitors production costs throughout all stages of the process.

Once the script or storyboard is approved by the Advertiser and has obtained legal clearance, the Advertiser or its Communication Agency decides whether to approach a single Production Company for a bid (single bid) or to organize a pitch involving multiple Production Companies (pitch).

The shortlist or actual pitch may include no more than three (3) independent Production Companies.

To ensure a fair and transparent bidding process, the Advertiser or its Communication Agency must share the names of all participating Production Companies and directors, allowing competitors to know who else is involved. This is particularly important if pitch expenses are not fully compensated. Misleading Production Companies or directors about the identity of their competitors is strictly prohibited.

Pitches for advertising film contracts are competitions based on subjective creative ideas, not procurement processes that require equal treatment of all participants. In these competitions, the tendering company can select the better idea, even if it comes with a higher offer. The principle of "sealed bidding" does not apply as it does in standard contract awards.

According to the agreements between ACC (Belgian Association of Communication Companies) and BCP, integrated Production Companies closely tied to, or part of a Communication Agency cannot participate in a pitch alongside an independent Production Company. This also applies to Production Companies affiliated with the Advertiser itself.

This rule extends to external Production Companies deemed dependent, whether they organize the pitch themselves, are linked to the Advertiser or the Communication Agency through their shareholder structure, lack operational autonomy, or function solely as an invoicing entity.

3.2. BRIEFING THE INDEPENDENT PRODUCTION COMPANY

The initial step involves creating a production briefing utilizing the BCP Production Briefing Tool, an online, step-by-step platform designed for comprehensive and transparent production briefings.

If you're unfamiliar with the BCP Production Briefing Tool, you can explore its features and functionality on the test site.

Through the BCP Production Briefing Tool, all relevant information and documentation (e.g., a script, storyboard, deck, or concept) are provided to the Production Companies to prepare accurate offers. This process ensures Production

Companies can deliver tailored proposals that meet the specific requirements and expectations of the Advertiser or its Communication Agency. The briefing must also include project timelines, such as the deadline for submitting proposals.

At this stage, it is also important that the checklist in the BCP Production Briefing Tool relating to sound design, voice overs and music is completed accurately, with additional remarks where necessary. A precise and well-structured briefing on sound and music ensures that Sound Studios receive the necessary information from the outset, allowing Production Companies to plan and budget this work correctly and helping to avoid misunderstandings later in the process.

In the BCP Production Briefing Tool, you can save a draft at any time and resume later to complete your briefing. Additionally, you have the option to download a PDF of your draft or final briefing whenever needed.

A pitch can only be initiated once the script or storyboard has been fully approved by the Advertiser.

All participating Production Companies must not only receive the same timeframe to prepare their offers and the same deadline for submission but must also be briefed simultaneously to ensure a fair and level playing field. When using the BCP Production Briefing Tool, the briefing is automatically sent to all selected Production Companies at the same time, ensuring complete transparency and consistency in the process.

The independent Production Company maintains strict confidentiality regarding the concept and campaign, ensuring this requirement is clearly communicated to its employees, suppliers or freelancers. Information is disclosed only as necessary for production activities (e.g., inviting the cast for a casting call).

3.3. FROM LONGLIST TO SHORTLIST

Once your briefing is complete, you can send it directly via the online tool to the independent Production Companies of your choice for the longlist.

The longlist allows the Advertiser or its Communication Agency to consult multiple Production Companies. Each company will propose a director along with their portfolio/showreel based on the concept. A Production Company proposing a director will ensure that it has the right to present this director and will confirm the director's availability and interest before presenting them.

The tool enables you to update the briefing from a longlist to a shortlist or even a single bid, adding or removing Production Companies to ensure no more than three participate in the actual pitch. Selecting a single bid ensures a faster and more efficient bidding process.

3.4. THE ACTUAL PITCH

Upon request from the independent Production Company, a creative review will take place between the creative team, the Production Company, and its director at the start of a pitch. This ensures that the director and producer can fully consider the needs and preferences of the Advertiser and/or its Communication Agency.

Following this review, the Production Company collaborates with the director to develop a comprehensive director's treatment. This document outlines, in detail, how the director envisions filming the script or storyboard. It includes specific references and examples to illustrate the director's approach and creative vision. The director's treatment serves as a detailed creative plan, aiming to provide a clear and compelling representation of the anticipated final product. This ensures that all stakeholders have a precise understanding of the director's artistic direction and the intended outcome of the project.

Based on the briefing created in the BCP Production Briefing Tool and the director's treatment, the Production Company prepares a production budget and an accompanying timeline. A bid letter provides an overview of the quotation details.

The production budget, a bid letter, a director's treatment, and a production timeline are the essential elements of the production offer.

3.5. COMPENSATION AND CANCELLATION OF THE BIDDING PROCESS

Participation in a pitch is demanding, time-consuming, and costly for a Production Company (compensations for researchers, copywriters, layout artists, graphic artists, etc.). More and more Production Companies charge a fee prior to participating in a pitch.

BCP identified the following standard best practices which are being used to avoid wasted resources and to streamline the pitching process between Advertisers, their Communication Agencies and the independent Production Companies.

Bidding process for Production Budgets under € 50.000

The creative review may involve up to (3) independent Production Companies and their directors. However, for production budgets under € 50K, a maximum of (2) Production Companies may be shortlisted to prepare a detailed production offer.

If the Advertiser or its Communication Agency still prefers to request three bids for a project with a budget under € 50K, it is a standard best practice to negotiate a fee for the Production Companies that are not awarded the production.

Cancellation of the production after completing the pitch

Situations where the production is cancelled for all Production Companies after completing the pitch should result in an agreement on compensation for the pitch costs.

Once the entire pitch process is completed and a final decision is made, the Advertiser or its Communication Agency will inform the losing Production Companies in detail about the reasons for their rejection, in recognition of the effort and resources they invested.

3.6. MULTINATIONAL PRODUCTIONS

In multinational productions, it is crucial for the Advertiser and its Communication Agency to make decisions promptly, ideally during the initial briefing. Delays in informing other involved parties can result in unforeseen costs. Once a commercial or branded content is produced, making changes to the initial brief can become very expensive.

Employees of multinational Advertisers with access to foreign markets should evaluate each script early on for its potential use in different markets, even if the brand or service is marketed abroad under a different name. This early consideration can help streamline the process and avoid costly adjustments later.

An efficiently planned and produced multinational commercial does not necessarily cost more than a similar commercial made for a single market, apart from localized editing needs such as adjusting titles or commercial length. However, any potential national differences or additional costs—such as payments for cast, music, or production rights—must be negotiated and agreed upon before shooting begins.

3.7. FEEDBACK PROTOCOL

Providing clear and constructive feedback to all participating Production Companies is essential, especially given the significant time and effort invested by the Production Company and its director. This protocol ensures that Production Companies receive valuable insights to refine their future proposals.

- 1. Comprehensive Feedback:** After the final decision, inform unsuccessful production companies about the reasons for their rejection, focusing on both creative and technical aspects.
- 2. Focus on the Director's Treatment:** Highlight strengths and areas for improvement in the treatment, helping directors better align with client expectations.
- 3. Budget and Timeline Transparency:** Clearly communicate if budget or timeline factors influenced the decision to aid future competitiveness.
- 4. Encourage Future Collaboration:** Emphasize the positive aspects of each pitch to foster ongoing professional relationships.
- 5. Timely Communication:** Provide feedback promptly to ensure it remains relevant and actionable.

